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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PACIRA BIOSCIENCES, INC.,

Plaintiff,

v.

AMERICAN SOCIETY OF
ANESTHESIOLOGISTS, INC., et al.,

Defendants.

Civil Action No. 2:21 Civ. 09264

Oral Argument Requested

MOTION DAY: May 17, 2021

**NOTICE OF PLAINTIFF PACIRA BIOSCIENCES, INC.'S MOTION FOR
PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that on May 17, 2021, at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiff Pacira BioSciences, Inc. (“Pacira”) shall move this Court, at the United States District Court for the District of New Jersey, Martin Luther King, Jr. Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for the entry of an order pursuant to Federal Rule of Civil Procedure 65 preliminarily enjoining Defendant American Society of Anesthesiologists, Inc., to retract publication of three false and disparaging articles, an accompanying podcast, and related continuing medical education materials on its website, to publish a retraction of the same disparaging materials in the next issue of its journal *Anesthesiology*, to prohibit the individual defendants from further publishing or circulating the disparaging material, and for such other relief as the court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, in support of this motion, Pacira will rely upon the attached Memorandum of Law, various exhibits and declarations thereto appended, as well as any submissions offered on reply.

PLEASE TAKE FURTHER NOTICE that Pacira seeks expedited determination of this motion.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted herewith.

Dated April 14, 2021

Respectfully submitted,

LATHAM & WATKINS LLP

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